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LETTER DATED 25 SEPTEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to attach a statement from the Minister for Foreign Affairs and Trade of Australia, Senator the Honourable Gareth Evans, on the situation in Yugoslavia, which is currently before the Security Council. I would be grateful if you could circulate this communication as a document of the Security Council.

(Signed) Peter WILENSKI

Annex

Statement by the Minister for Foreign Affairs and Trade of Australia, Senator the Hon. Gareth Evans, on the situation in Yugoslavia

The Australian Government and people have been following the situation in Yugoslavia with great concern. While distant geographically from Yugoslavia, Australia has a particular affinity with Yugoslavia and its people - we are fortunate to have a large community of some 250,000 citizens of Yugoslav origin. The Australian Government is therefore committed to do all that it can to assist efforts under way to find a peaceful solution to the conflict in Yugoslavia.

Our concerns are for the welfare of all the people of Yugoslavia. The Australian Government recognizes that there are important issues to be resolved about the future shape of Yugoslavia's republics, and in particular about the position of minorities within the republics. These are matters invested with profound emotional significance; they are legally complex and politically problematical. But there can be no justification for resorting to force to settle these issues.

The Australian Government has been following with great interest and sympathy the efforts by the member States of the European Community, the Western European Union and the Conference on Security and Cooperation in Europe to restore peace and dialogue in Yugoslavia and is encouraged by the news that the current cease-fire seems to be holding. I commend EC Foreign Ministers who, under the able guidance of the Netherlands Foreign Minister Van Den Broek, have worked and continue to work tirelessly to bring about a peaceful solution in Yugoslavia. I also pay a special tribute to the efforts of Lord Carrington, who has been instrumental in securing the current cease-fire.

The Australian Government lends its full support to the continued efforts of the EC, CSCE and WEU. We urge those within Yugoslavia who bear the responsibility of leadership to spare their people further suffering.

We also believe that the time has now come for the international community as a whole to reinforce the European efforts through the United Nations. My Prime Minister wrote to the United Nations Secretary-General on 19 September asking that he lend the authority of his own office to the search for a resolution to the problems of Yugoslavia and suggesting that the Security Council should, as it is doing now, consider the situation as a matter of urgency.

There has been some questioning as to whether the United Nations, and the Security Council in particular, has the authority to consider the situation in Yugoslavia. Allow me to set out briefly why the Australian Government believes that the situation in Yugoslavia represents a threat to international

peace and security in the region justifying, and indeed - in terms of the Charter - requiring United Nations involvement.

First, there can be no doubt that continued fighting in Yugoslavia poses a threat to the security of Yugoslavia's neighbours. Tensions are high throughout the area. While we fervently hope that the current truce will continue, we cannot ignore actions which were taken, such as the blockading of Croatian ports and the cutting of the oil pipeline which also supplies Hungary, nor the concerns already expressed by neighbouring countries about unauthorized military overflights of their territory.

In addition, numbers of refugees fleeing the conflict have already crossed international borders. The threat of further outflows on a massive scale is of major concern, first to Yugoslavia's neighbours and second to other countries which may be called on to receive the refugees.

In short, the implications of the crisis in Yugoslavia are so clear and so fundamentally important that they demand the immediate attention of the Security Council in fulfilment of its Charter obligations for the maintenance of international peace and security. While it might be simpler for the international community to ignore the wider ramifications of the situation in Yugoslavia, it would in our view be short-sighted and very much against the interests of the Yugoslav people themselves.

Questions have also been raised as to what the United Nations can do that the Europeans cannot. As a first step, the Security Council can throw the full moral and political authority of the international community behind the European efforts to secure peace in Yugoslavia. The Security Council can reinforce the call for a durable cease-fire and for a negotiated outcome to the situation in Yugoslavia.

The United Nations can also play a more direct role in supporting the European efforts by engaging the parties in dialogue. The Australian Government particularly welcomes the Security Council's invitation in the draft resolution before it (S/23067) to the United Nations Secretary-General to offer his assistance without delay in cooperation with all parties concerned and to report back to the Security Council. The Secretary-General's well-known negotiating skills, his patience and his perseverance equip him to play a key role in resolving the crisis in Yugoslavia.

The Australian Government also welcomes the Security Council's intention in the draft resolution before it to impose a general and complete arms embargo on all deliveries of weapons and military equipment to Yugoslavia until peace and stability have been established. The Australian Government has already agreed not to approve any arms sales to Yugoslavia while the fighting continues.

Finally, the Australian Government believes that the Security Council should stand ready to consider further measures under its Charter competences should the situation in Yugoslavia deteriorate further or otherwise require it.

The United Nations has only recently emerged from the paralysis of the cold war years. In the past 18 months, the Security Council has played a crucial role in resolving previously intractable problems, such as the situation in Cambodia. It has also demonstrated a new-found ability to fulfil its Charter functions in its action to reverse Iraq's invasion and annexation of Kuwait. The Australian Government has been heartened by the revitalization of the Security Council and encouraged by the forthright and active stance it has adopted on current international and regional troublespots. This is precisely the role that the Charter founders envisaged for the Council.

The Australian Government therefore appeals to the Council to address the situation in Yugoslavia with the same imagination and commitment and work together with the EC member States and the Government and people of Yugoslavia to find a peaceful solution to the situation in Yugoslavia.